

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF ROOPAL P.  
LUHANA IN SUPPORT OF CHAFFIN  
LUHANA'S MOTION TO WITHDRAW  
AS COUNSEL FOR PLAINTIFF K.R.**

This Document Relates to:

**PLAINTIFF K.R.**  
**Case No. 3:23-cv-06313**

I, Roopal P. Luhana, declare:

1. I am an attorney in the law firm of Chaffin Luhana LLP. I am a member of the State Bar of New York and am admitted Pro Hac Vice to practice before this Court. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify competently to the truth of the matters stated herein.

2. Plaintiff K.R. has not substantively responded to any efforts to reach her made by my firm since October 1, 2024.

3. Plaintiff K.R.'s failure to communicate with our firm has presented a circumstance covered by Rule 1.16(b)(4) of the California Rules of Professional Conduct. We are unable to meet discovery deadlines and otherwise prosecute her case without her input. It is my opinion that our withdrawal from the case has become necessary and is appropriate.

4. Under California Rule of Professional Conduct 1.16(d), my firm has taken all reasonably available steps to avoid prejudice to the rights of Plaintiff K.R.

a. Before and throughout the time period described below, Plaintiff K.R. received numerous letters, emails, text messages, and telephone calls requesting she contact our firm. In these

1 unanswered communications, we repeatedly explained the need for her continued participation in the  
2 case, the risk that her case may be dismissed, the reasons we would need to withdraw as counsel absent  
3 contact.

4 b. On October 1, my firm sent Plaintiff four (4) text messages informing her of our efforts  
5 to try to contact her, the importance of the Plaintiff Fact Sheet document, its deadlines,  
6 and the importance of being timely.

7 c. On October 2, 2024, my firm sent Plaintiff an additional text message that went  
8 unanswered informing her of our efforts to try to contact her, the importance of the  
9 Plaintiff Fact Sheet document, its deadlines, and the importance of being timely.

10 d. On October 3, 2024, my firm sent Plaintiff an additional text message and four (4)  
11 phone calls that went unanswered informing her of our efforts to try to contact her, the  
12 importance of the Plaintiff Fact Sheet document, its deadlines, and the importance of  
13 being timely.

14 e. On October 4, 2024, my firm sent Plaintiff an additional text message and phone call  
15 that went unanswered informing her of the deadline that Plaintiff's Plaintiff Fact Sheet  
16 must be submitted, and the risk of her case being dismissed with prejudice.

17 f. On October 16, my firm sent Plaintiff a letter via email and FedEx informing her of my  
18 firm's contact efforts and informing her again of the impossibility of moving forward  
19 if we do not hear from her. My firm informed Plaintiff that if we did not hear back  
20 from Plaintiff by October 23, 2024, and receive the necessary documentation required  
21 to move her case forward, we would have no choice but to withdraw as counsel for her  
22 case.

23 g. On October 18, 2024, we were informed that Plaintiff received and opened my firm's  
24 email, and that FedEx has successfully delivered our letter.

25 5. During this time period, we met and conferred with opposing counsel on issues surrounding  
26 this case, and requested and received two (2) discovery extensions for Plaintiff's Plaintiff Fact Sheet.

27 6. To date, my firm has not yet heard from Plaintiff since October 1, 2024.

28 7. Our withdrawal from this case will not impact the timing or schedule of this litigation, and we  
have taken all reasonable steps possible to avoid prejudice to Plaintiff and informed her of the  
consequences of failing to comply with case deadlines.

1 8. On October 29, 2024, my firm informed Defendant of its intent to withdraw as counsel for  
2 Plaintiff.

3 9. I understand that pursuant to Local Rule 11-5(b), leave to withdraw may be conditioned on our  
4 firm continuing to accept papers to forward to the client. My firm accepts this responsibility.

5 Executed this 31<sup>st</sup> day of October, 2024, in New York, New York.

6  
7 /s/ Roopal P. Luhana

8 Roopal P. Luhana  
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